

# House File 651 - Introduced

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BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HF 560)

(SUCCESSOR TO HF 199)

## A BILL FOR

1 An Act relating to expenditures of moneys from the E911  
2 emergency communications fund, other duties of the  
3 department of homeland security and emergency management,  
4 and other properly related matters.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 29C.23 Statewide land mobile radio  
2 communications system.

3 1. The department, in coordination with the department  
4 of public safety and the department of transportation,  
5 shall reimburse the provider, as defined in section 34A.2,  
6 on a calendar quarterly basis, for actual annual lease  
7 costs associated with the operation of a statewide land  
8 mobile radio communications system that interfaces with the  
9 Iowa interoperability radio platform. The department of  
10 administrative services shall select the provider in accordance  
11 with section 8A.311.

12 2. All public safety answering points may access the  
13 statewide land mobile radio communications system without any  
14 additional charge to the individual public safety answering  
15 point.

16 3. The Iowa radio interoperability platform shall be under  
17 the joint purview of the department of public safety and the  
18 department of transportation. The departments shall jointly  
19 submit a biannual report to the Iowa statewide interoperable  
20 communications system board beginning July 1, 2016.

21 Sec. 2. Section 34A.7A, subsection 2, Code 2015, is amended  
22 by adding the following new paragraphs:

23 NEW PARAGRAPH. *Ob.* (1) The program manager shall allocate  
24 to each joint E911 service board and to the department of  
25 public safety a minimum of one thousand dollars per calendar  
26 quarter for each public safety answering point within the  
27 service area of the department of public safety or joint E911  
28 service board that has submitted an annual written request to  
29 the program manager in a form approved by the program manager  
30 by May 15 of each year.

31 (2) The amount allocated under this paragraph "*Ob*" shall be  
32 fifty-three percent of the total amount of surcharge generated  
33 per calendar quarter allocated as follows:

34 (a) Sixty-five percent of the total dollars available for  
35 allocation shall be allocated in proportion to the square miles

1 of the service area to the total square miles in this state.

2 (b) Thirty-five percent of the total dollars available for  
3 allocation shall be allocated in proportion to the wireless  
4 E911 calls taken at the public safety answering point in  
5 the service area to the total number of wireless E911 calls  
6 originating in this state.

7 (c) Notwithstanding subparagraph divisions (a) and (b), the  
8 minimum amount allocated to each joint E911 service board and  
9 to the department of public safety shall be no less than one  
10 thousand dollars for each public safety answering point within  
11 the service area of the department of public safety or joint  
12 E911 service board.

13 (3) The funds allocated in this paragraph "0b" shall be  
14 used for communication equipment utilized for the receipt and  
15 disposition of 911 calls.

16 NEW PARAGRAPH. 00b. The program manager shall allocate  
17 moneys pursuant to this paragraph each calendar quarter  
18 to joint E911 service boards with public safety answering  
19 points within the boards' E911 service areas that enter into  
20 agreements to consolidate and to the department of public  
21 safety for such public safety answering points. A public  
22 safety answering point subject to such an agreement to  
23 consolidate shall receive the allocation that the public safety  
24 answering point would have received individually pursuant to  
25 paragraph "0b" and an additional twenty-five percent of the  
26 amount the public safety answering point would have received  
27 pursuant to paragraph "0b". A public safety answering point  
28 subject to such an agreement to consolidate shall receive  
29 moneys pursuant to the allocation in this paragraph at  
30 the beginning of the fiscal year following the date of the  
31 agreement for a period of three years.

32 Sec. 3. Section 34A.7A, subsection 2, paragraph b, Code  
33 2015, is amended to read as follows:

34 ~~b. For the three-year period beginning~~ From July 1, 2013,  
35 ~~and ending June 30, 2016~~ until June 30, 2026, the program

1 manager shall allocate thirteen percent of the total amount of  
 2 surcharge generated to wireless carriers to recover their costs  
 3 to deliver E911 phase 1 services. If the allocation in this  
 4 paragraph is insufficient to reimburse all wireless carriers  
 5 for such carrier's eligible expenses, the program manager  
 6 shall allocate a prorated amount to each wireless carrier  
 7 equal to the percentage of such carrier's eligible expenses as  
 8 compared to the total of all eligible expenses for all wireless  
 9 carriers for the calendar quarter during which such expenses  
 10 were submitted. When prorated expenses are paid, the remaining  
 11 unpaid expenses shall no longer be eligible for payment under  
 12 this paragraph.

13 Sec. 4. Section 34A.7A, subsection 2, paragraph e, Code  
 14 2015, is amended by striking the paragraph.

15 Sec. 5. Section 34A.7A, subsection 2, paragraph f, Code  
 16 2015, is amended to read as follows:

17 *f.* If moneys remain in the fund after fully paying all  
 18 obligations under paragraphs "*a*", "*0b*", "*00b*", "*b*", "*c*", and  
 19 "*d*", and ~~"*e*"~~, the remainder may be accumulated in the fund  
 20 as a carryover operating surplus. ~~This~~ The program manager,  
 21 in consultation with the E911 communications council, shall  
 22 allocate an amount, not to exceed one hundred thousand  
 23 dollars per fiscal year, for development of public awareness  
 24 and educational programs related to the use of 911 by the  
 25 public, educational programs for personnel responsible for the  
 26 maintenance, operation, and upgrading of local E911 systems,  
 27 and the expenses of members of the E911 communications council  
 28 for travel, monthly meetings, and training. The remaining  
 29 surplus shall be used to fund future network and public safety  
 30 answering point improvements for the receipt and disposition  
 31 of 911 calls, including hardware and software for an internet  
 32 protocol-enabled next generation network, and wireless  
 33 carriers' transport costs related to wireless E911 services, if  
 34 those costs are not otherwise recovered by wireless carriers  
 35 through customer billing or other sources and approved by the

1 program manager in consultation with the E911 communications  
2 council. Notwithstanding section 8.33, any moneys remaining  
3 in the fund at the end of each fiscal year shall not revert to  
4 the general fund of the state but shall remain available for  
5 the purposes of the fund.

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with  
8 the explanation's substance by the members of the general assembly.

9 This bill relates to the expenditure of moneys in the  
10 E911 emergency communications fund and other duties of the  
11 department of homeland security and emergency management. The  
12 bill requires the department of homeland security and emergency  
13 management to reimburse the provider, meaning a vendor selected  
14 by the department of administrative services who provides  
15 E911 equipment, installation, maintenance, or exchange access  
16 services, on a calendar quarterly basis, for the actual annual  
17 lease costs associated with the operation of a statewide land  
18 mobile radio communications system that interfaces with the  
19 Iowa interoperability radio platform. The bill provides that  
20 all public safety answering points may use the system at no  
21 additional charge. The Iowa radio interoperability platform  
22 is under the joint purview of the department of public safety  
23 and the department of transportation. The bill requires the  
24 departments to jointly submit a biannual report to the Iowa  
25 statewide interoperable communications system board beginning  
26 July 1, 2016.

27 The bill reprioritizes the expenditures from the E911  
28 emergency communications fund by moving the allocations to the  
29 joint E911 service board and to the department of public safety  
30 from fifth in the list of priority to second in the list of  
31 priority after the amount appropriated to the director of the  
32 department of homeland security and emergency management and  
33 program manager for implementation, support, and maintenance  
34 of the functions of the director and the program manager. The  
35 bill also increases the percentage allocated from the total

1 amount of surcharge generated per calendar quarter from 46  
2 percent to 53 percent.

3 The bill then requires the program manager to allocate money  
4 from the E911 emergency communications fund each calendar  
5 quarter to joint E911 service boards with public safety  
6 answering points within the boards' E911 service areas that  
7 enter into agreements to consolidate and to the department of  
8 public safety for such public safety answering points. The  
9 bill provides that the public safety answering point subject  
10 to a consolidation agreement shall receive 125 percent of the  
11 allocation that the public safety answering point would have  
12 received individually without the consolidation agreement for a  
13 period of three years starting at the beginning of the fiscal  
14 year following the date of the consolidation agreement.

15 Currently, Code section 34A.7A provides that wireless  
16 carriers receive a 13 percent allocation of the total amount of  
17 surcharges generated to recover the cost of delivery of E911  
18 phase 1 services from July 1, 2013, through June 30, 2016.  
19 The bill extends this time frame an additional 10 years. The  
20 wireless carriers will receive the allocation from July 1,  
21 2013, until June 30, 2026.

22 The bill adds that from any surplus in the E911 emergency  
23 communications fund remaining after payment of the priorities,  
24 the E911 program manager, in consultation with the E911  
25 communications council, shall allocate an amount not to exceed  
26 \$100,000 per fiscal year for development of public awareness  
27 and educational programs for the public, for educational  
28 programs for personnel responsible for maintenance, operation,  
29 and upgrading of E911 systems, and for the expenses of members  
30 of the E911 communications council for travel, monthly  
31 meetings, and training. The bill further requires that the  
32 remaining surplus be used to fund future network and public  
33 safety answering point improvements that are for the receipt  
34 and disposition of 911 calls.